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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,143	04/25/2000	Jeff A. Zimniewicz	203991	9311

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EXAMINER

STEELMAN, MARY J

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 10/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/557,143

Applicant(s)

ZIMNIEWICZ, JEFF A.

Examiner

Mary J. Steelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/26/01, 1/28/02, 3/19/02.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,3,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1 – 22 are presented for examination.

#### ***Drawings***

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

Figure 2, item 88, is referred to in the specification on page 12, as item 89. There is no item 89 in the drawing.

Figure 2, does not show item 78, as referred to in the specification

Figure 5, item 202, is referred to in the specification as item 200 at page 31, line 4 and page 32, line 14.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description:

Figure 1, item 60 is not in the description.

A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

4. The abstract of the disclosure is objected to because:

Figure 2, item 88, is referred to in the specification on page 12, as item 89. There is no item 89 in the drawing.

Page 12, line 13 states "SIT 78", which is not in the drawings.

Figure 2, does not show item 78, as referred to in the specification

Figure 5, item 202, is referred to in the specification as item 200 at page 14, line 10, page 31, line 4 and page 32, line 14.

Provide definitions for given acronyms: Page 10, line 16, "MMC", page 14, line 5, "SPs", page 27, line 9, "NTFS, DBCS".

Page 13, line 19 recites "wizard97", should be --wizard 97--.

Action should be taken to differentiate between "wizard 97" and item 97 in figure 2.

There are multiple instances of brackets ( [ ] ) throughout the specification. To the Patent and Trademark Office, brackets indicate that symbols within should be deleted at printing time.

It is recommended that the bracket symbols be deleted or changed to parentheses.

Brackets are found on the following pages: Page 14, 19, 21, 23, 24, 25, 26, and 33.

Page 27, lines 12 & 13 repeats a sentence. Delete one sentence.

Correction is required. See MPEP § 608.01(b).

***Claim Objections***

5. Claims 10 and 12 are objected to because of the following spelling error:

Page 37, lines 4, 12, 14, 15, recites "textural", should be --textual--.

***Claim Rejections - 35 USC § 103***

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6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,282,711 to Halpern et al., in view of U.S. Patent 6,046,741 to Hochmuth.

Halpern disclosed a method to install components of software suites using a custom configured installation package (col. 3, lines 2-3). Although, Halpern's invention selects components from a component pool (col. 3, line 19) and works with user interface templates (col. 4, line 62), he does not discuss using a text editor to alter display order of user interface screens. However, Hochmuth discloses sequencing commands in a graphical user interface.

**Per claim 1, Hochmuth disclosed:**

- providing a text based setup data file having at least one section containing a display order textual listing of the UI screens. (Col. 4, line 31-32, "A textual representation of the command sequence is displayed...")
- providing a text editor. (Col. 3, lines 27-28, "Each series of user actions can be represented by a text based command and parameters.")
- editing the display order textual listing of the UI screens in the setup data file using the text editor. (Col. 4, lines 39-42, "...by positioning the cursor over the "EDIT" button and depressing a mouse button. The GUI would then allow the user to add, delete, or change the commands and parameters in the command sequence.")

Therefore it would have been obvious to one of ordinary skill in the art, at the time of the invention, to modify Halpern's suite installation invention, to permit the user (GUI developer) to (col. 4, lines 41-42) "add, delete, or change the commands and parameters in the command sequence" of a GUI so as to customize the visual command sequence, because suite installation can be simplified by automating user commands in a GUI to make a unique presentation for each specific end-user or group providing a wider target market..

1. Claims 2 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,282,711 to Halpern et al., in view of U.S. Patent 6,046,741 to Hochmuth, and further in view of U.S. Patent 6,282,699 to Zhang et al.

Halpern disclosed a method to install components of software suites using a custom configured installation package (col. 3, lines 2-3). Although, Halpern's invention selects components from a component pool (col. 3, line 19) and works with user interface templates (col. 4, line 62), he does not discuss using a text editor to alter display order of user interface screens. Hochmuth discloses sequencing commands (display order) in a graphical user interface, but he does not fully discuss the plurality of screens, or the use of libraries. However, Zhang disclosed graphical programming, using (col. 1, lines 24-25) code nodes containing textual source code, which is viewable and editable by a programmer-user.

**Per claim 2, Zhang disclosed:**

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-the display order textual listing includes a plurality of individual UI screen identifiers, and wherein said step of editing comprises that step of deleting at least one of the plurality of individual UI screen identifiers. (Col. 10, lines 7-9, "...the user connects the code node to the rest of the graphical program (plurality of screens)...user may arrange the graphical program on the screen..." and (col. 10, lines 47-48, "...code is viewable or displayed in the code node and is also user editable in the code node...")

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time of the invention, to modify Halpern's suite installation invention, to permit the user (GUI developer) to (col. 4, lines 41-42) "add, delete, or change the commands and parameters in the command sequence" of a GUI, as taught by Hochmuth, so as to customize the visual command sequence, because suite installation can be simplified by automating user commands in a GUI to make a unique presentation for each specific end-user or group providing a wider target market.. And further to modify Halpern's and Hochmuth's inventions, using Zhang's invention of a graphical programming system to specify the display order while still permitting text editing (add, delete, modify) of code nodes providing the GUI programmer with a visual system and method of graphical programming, because the programming is (col. 3, lines 36-45) less complex, while allowing access to functionality provided by a text based program, allowing the user to be able to create, view, and/or edit textual code in a graphical program. Zhang's invention allows the dragging of nodes to sequence the presentation and provides textual references to DLLs and EXE files.

**Per claim 3, Zhang disclosed:**

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-the display order textual listing includes a plurality of individual UI screen identifiers listed in a first order, and wherein said step of editing comprises the step of reordering the individual UI screen identifiers to a second order. (Col. 9, lines 40-41, "...user drags the code node from a palette onto the graphical program window." Also, col. 10, lines 7-9, "user connects the code node to the rest of the graphical program. In step 308 the user may arrange the graphical program on the screen...")

**Per claim 4, Zhang disclosed:**

-the display order textual listing includes a plurality of individual UI screen identifiers, and wherein said step of editing comprises the step of adding a new UI screen identifier. (See fig. 3, To add additional node to the program, col. 9, line 34-36, "...user operates to place a code node in the graphical program.")

**Per claim 5, Zhang disclosed:**

- the display order textual listing includes a plurality of individual UI screen identifiers, and wherein said step of editing comprises the step of replacing the plurality of individual screen identifiers with a new textual listing of screen identifiers. (See fig. 3, To add different nodes to the program, col. 9, line 34-36, "...user operates to place a code node in the graphical program.")

**Per claim 6, Zhang disclosed:**

-providing a dynamic link library (dll) defining a UI screen, and wherein said step of editing comprises the step of inserting a textual reference to the dll in the display order textual listing. (See fig. 3, item 306, col. 9, lines 63 –65, "...the graphical program programming system loads an appropriate dynamic linked library (DLL) for the code node...")

**Per claim 7, Zhang disclosed:**



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-providing an executable (EXE) file defining a UI screen, and wherein said step of editing comprises the step of inserting a textual reference to the EXE file in the display order textual listing. (See fig. 4 and col. 11, lines 41-45, "...the system/method constructs execution instructions in response to the graphical program. This includes constructing execution instructions corresponding to the code node in the graphical program.)

**Per claim 8, Zhang disclosed:**

-providing a suite installation program having UI screen templates provided therein, wherein the display order textual listing includes a plurality of individual UI screen identifiers, and wherein at least one of said individual UI screen identifiers relate to one of said UI screen templates.

(Col. 11, lines 17-19, "the user may separately configure or assemble a user interface panel including user interface nodes (templates), such as dials, switches, charts, graphs, etc.")

**Per claim 9, Zhang disclosed:**

This is a computer readable medium version of bundled components in a text based, GUI installation system.

-plurality of components bundled in a suite, and a text based setup database file, said setup database file including a display order textual listing identifying specific user interface (UI) screens to be displayed during installation of said components. (Examples are given of MatLab and HiQ script DLL component collections (col. 13, lines 21-22). Col. 12, lines 34-40, "In order to implement a new type of code or script, the developer adds a new DLL for the respective server program, wherein the new DLL implements the standard interface for the server program. DLLs for each of the server programs are placed in a directory which is available to the graphical programming system." Also, col. 11, lines 17-31, "...user may separately configure or assemble

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a user interface panel including user interface nodes, such as dials, switches, charts, graphs...user assembles user interface nodes into the block diagram with the function nodes...user may then selectively view the user interface elements...user interface panel is automatically constructed from the user interface nodes...”)

**Per claim 10, Zhang disclosed:**

-Claim 10 contains limitations as recited in claim 6. Therefore, claim 10 is rejected under the same rationale as claim 6.

**Per claim 11, Zhang disclosed:**

- Claim 11 contains limitations as recited in claim 7. Therefore, claim 11 is rejected under the same rationale as claim 7.

**Per claim 12, Zhang disclosed:**

-acquiring a textual listing of user interface screens for each of a plurality of applications I a suite that are to be installed. (Col. 4, lines 7, “...the code node is displayed on the screen.”)

-acquiring the user interface screens identified by the textual listing. (Col. 4, lines 8-9, “The user then selects or enters textual code that is comprised in or displayed in the code node.” Also, col. 4, lines 16-17, :...the user arranges a plurality of nodes on the screen...preferably by connecting the nodes in a data flow format.”)

-displaying the user interface screens identified by the textual listing for each of the applications in the suite that are to be installed. (Col. 4, lines 26-33, “During execution of the graphical program, the graphical programming system provides the textual code to the server program...The server program then executes the textual code...”)

**Per claim 13, Zhang disclosed:**

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-acquiring user interface screen templates provided by an installation application. (Col. 9, lines 34-45, "...user operates to place a code node in the graphical program...the computer system display...a code node in the graphical program in response to user input...user drags the code node from a palette (template) onto the graphical program window.")

**Per claim 14, Zhang disclosed:**

-acquiring at least one user interface screen dynamic link library (dll) defining at least one user interface screen. (Col. 9, lines 63-65, "...the graphical program programming system loads an appropriate dynamic linked library (DLL) for the code node...")

**Per claim 15, Zhang disclosed:**

-acquiring at least one user interface screen executable file (EXE) defining at least one user interface screen. (Col. 11, lines 55-59, "Where the code comprised in the code node is textual code such as Perl, Mathematica, Java, etc., then the system /method initiates a new instance of an execution program, such as Perl, Mathematica, or Java, respectively.")

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,006,035 to Nabahi, (Method and system for custom computer software installation.)

U.S. Patent No. 6,266,811 to Nabahi, (Custom software installation using rule-based installation engine and script.)

U.S. Patent No. 6,314,415 to Mukherjee, (Automated forms publishing system and method using a rule-based expert system to dynamically generate a graphical user interface.)

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U.S. Patent 6,446,260 to Wilde et al., (Method for operating system personalization during installation, using text editor to customize a GUI.)

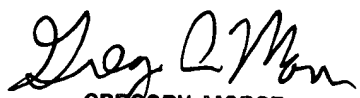
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (703) 305-4564. The examiner can normally be reached Monday through Thursday, from 7:00 A.M. to 5:30 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (703) 308-4789.

The fax phone numbers are (703) 746-7240 for regular communications and (703) 746-7239 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MS



10/21/2002



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